SUMMARY REPORT OF INVESTIGATION

I. EXECUTIVE SUMMARY

Date of Incident:	July 11, 2018	
Time of Incident:	9:18 am	
Location of Incident:	2452 W. Belmont Ave., Chicago, IL 60618	
Date of COPA Notification:	July 11, 2018	
Time of COPA Notification:	10:23 am	
	ı	
On July 11, 2018, (was returned to the District Lockup after the Cook County Sherriff's Office refused to accept him at the domestic violence courthouse. CPD officers searched when he arrived back at the District's lockup. While being searched, resisted, and officers performed an emergency takedown on continued to resist and was eventually lifted and taken into a cell. After was placed in the cell he continued to		
resist and Sgt. subsequently received a Crime	("Sgt. Star Star kicked in the head. COPA Prevention and Information Center ("CPIC") preliminary	

notification of an extraordinary occurrence in the District's lockup.

II. INVOLVED PARTIES

Involved Officer #1:	Star # Employee ID # Date of
	Appointment: 1995, Sergeant of Police, Unit — District
	DOB: 1972, Male, White
Involved Officer #2:	Star # Employee ID # Date of
	Appointment: 1997, Police Officer, Unit District
	DOB: 1963, Male, Black
Involved Officer #3:	Star # Employee ID # Date of
	Appointment: 2005, Police Officer, Unit District
	DOB: 1979, Male, Black
Involved Individual	DOB: 1987, Male, White
#1:	

III. ALLEGATIONS

Officer	Allegation	Finding/Recommendation
	1. It is alleged that on July 11, 2018, at 2542 W. Belmont Ave., Chicago, IL	
	60618, Sgt. unnecessarily	Reprimand
	kicked about the head in violation of Rule 2 and Rule 10 of the	
	Chicago Police Department Rules of	
	Conduct.	

IV. APPLICABLE RULES AND LAWS

Rules

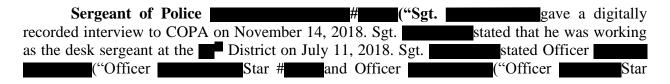
- 1. **Rule 2:** Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.
- 2. **Rule 6:** Disobedience of an order or directive, whether written or oral.
- 3. **Rule 10:** Inattention to duty.

General Orders

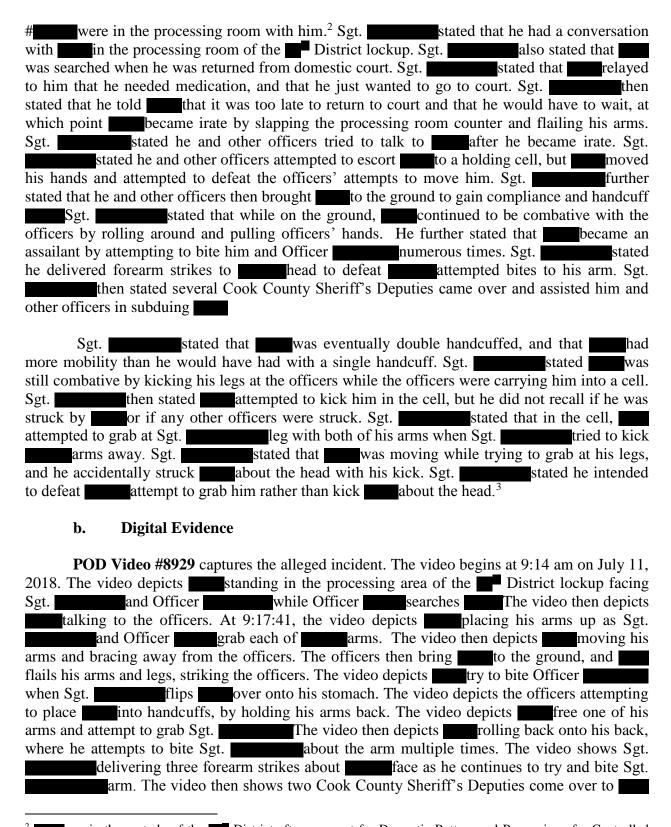
- 1. GO 01-01 Mission Statement and Core Values
- 1. **GO 03-02** Use of Force
- 2. GO 03-02-01 Force Options
- 4. GO 06-01 Processing Persons under Department Control

V. INVESTIGATION¹

a. Interviews

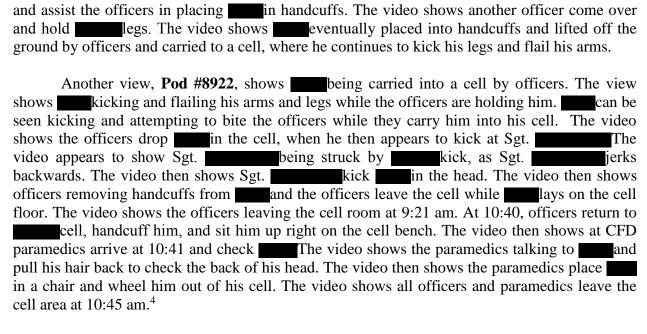


¹ COPA conducted a thorough and complete investigation. The following is a summary of the material evidence gathered and relied upon in our analysis.



² was in the custody of the District after an arrest for Domestic Battery and Possession of a Controlled Substance.

³ Attachment 10



c. Documentary Evidence

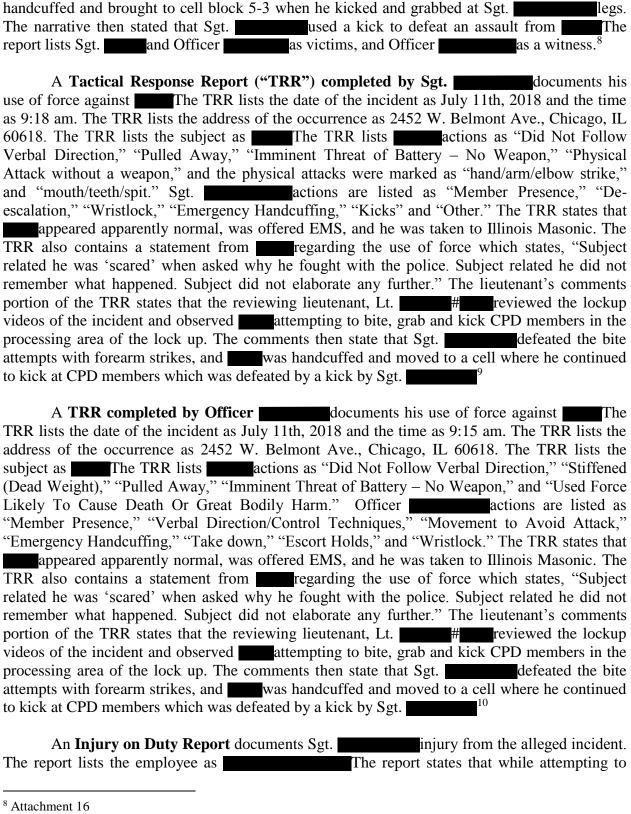
An **Email containing a Preliminary Notification** from the Crime Prevention and Information Center to COPA initiated the investigation. The Notification lists the subject as a lockup incident, with the location of 2452 W. Belmont / District. The Notification lists the time as 9:18 am. The Notification states that an arrestee became combative in the District lockup. The Notification further stated that a Sergeant and officers performed an emergency take down, Tactical Response Reports were completed, and there were no injuries to report at that time.⁵

An **Arrest Report**, CB # details arrest.

An Original Case Incident Report, RD # documents the extraordinary occurrence. The report notes the violation as 0454 – Battery – Agg Po Hands No/Min Injury with the occurrence location listed as 2452 W. Belmont Ave., Chicago, IL, and the occurrence date and time listed as 11 July 2018 at 9:18 am. The report lists the suspect as The report narrative states that was returned to Lockup after he was denied by the Cook County Sheriff's Office. The narrative continues and states that told Chicago Police Officers that he needed medications for a medical condition. The narrative then states that refused to be searched by moving his body, and swinging his arms in a combative manner at officers. The narrative states that officers used de-escalation techniques and refused to comply. The narrative continues and states that officers and Sgt. was attempted to bite Sgt. The narrative states that forearm strikes were used on The narrative then states that was

⁵ Attachment 24

⁴ Attachment 25



⁹ Attachment 17

¹⁰ Attachment 18

process in lockup, became combative and attempted to bite Sgt. after being taken to the ground in emergency handcuffing technique. The report then states Sgt. right ankle became trapped under a person while attempting to control offender. The report further states Sgt. felt pain in said ankle and Sgt. felt additional soreness to his right ankle after striking in response to assault on him. 11
An Illinois Department of Corrections Report of Extraordinary or Unusual Occurrences documents the alleged incident that involved a detainee. The Report states that the alleged incident occurred at lockup, located at 2452 W. Belmont Ave., Chicago, IL. The Report lists the time and date of occurrence as July 11 th , 2018, at 9:18 am. The Report lists the detainee involved as the report lists Sgt. as the reporting officer. The Report lists the principal cause of occurrence as, "Above subject became combative when returned to District from dom. Court as a refusal. Above became combative and attempted to bite Sgt. Offender also attempted to kick R/Sgt after being carried into cell." The Report lists further details, in that refused to comply with processing procedures and attempted to bite Sgt. and Officer after emergency handcuffing. The Report also states that at 9:19 am, attempted to kick Sgt. when he was placed in a cell. 12
A Witness Report completed by Officer saw. In the report, Officer wrote that he searched while working in lockup. Officer then wrote that while searching became irate and verbally combative. Officer wrote that officers attempted to deescalate the situation using verbal tactics. Officer wrote that as officers were attempting to take back to his holding cell, he again became irate and was non-compliant as he refused to go back into the holding cell and would not let officers gain control of him. Officer then wrote that officers used holding techniques on legs, and while he was holding legs he heard Officer state, "don't try & bite me." Officer wrote that officers' verbal direction to stop resisting, and was handcuffed by Sgt. and Officer wrote that officers had to physically lift up and carry him to the holding cell, when he started kicking his legs and kicked Sgt. about the leg area. Officer then wrote that Sgt. kicked about the torso area when kicked him. 13
A Chicago Fire Department Incident Report documents paramedics' evaluation of The report states that was found sitting in a jail cell awake. The report states that the mumbled answers to the paramedics' questions. The report continues and states that did not recall events prior and he felt tired. The report states that a CPD Sergeant reported that struggled with them after returning from court at around 9:15 am that day. The report states that was struck once in the back-left side of his head. The report states that

¹¹ Attachment 19 ¹² Attachment 20

¹³ Attachment 21

cuffed behind his back and his legs were shackled. The report then states that was released to staff without incident.¹⁴

VI. ANALYSIS

	COPA recommends a finding of	f Sustained for Allegation #1 against Sgt.	that
Sgt.	unnecessarily kicked	about the head.	

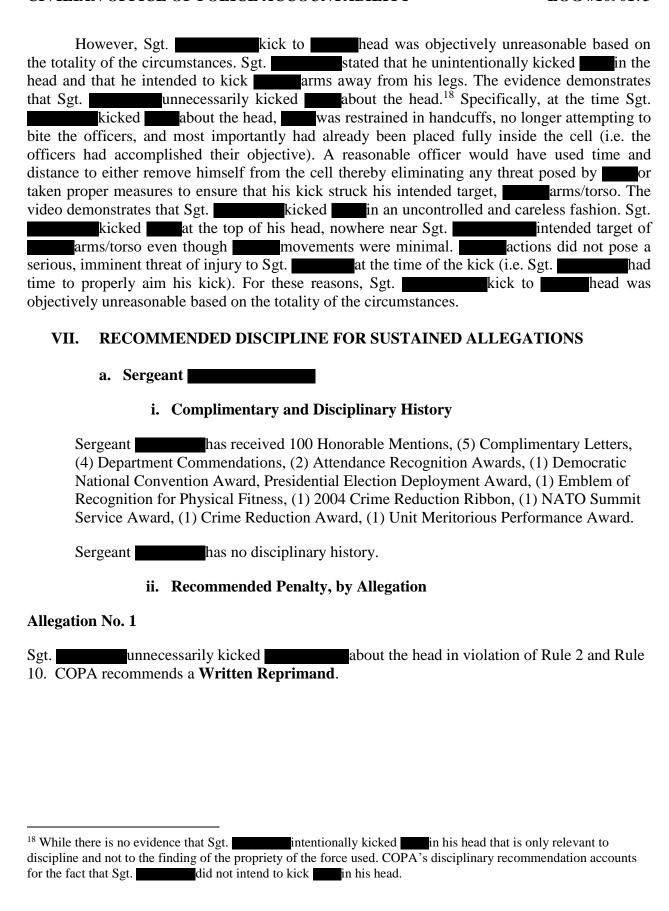
According to General Order GO 03-02-01, force is authorized when it is "objectively reasonable, necessary under the circumstances, and proportional to the threat, actions, and level of resistance offered by a subject. Members will continually assess the situation and determine: the authorized force option based on the totality of the circumstances; if the seriousness of the situation requires an immediate response or whether the member can employ other force options or the Force Mitigation Principles."

The primary objective of the use of force is to ensure control of a subject with the reasonable force necessary based on the totality of the circumstances. Department members must escalate or de-escalate the amount of force, which is reasonably necessary to overcome the subject's resistance and to gain control over the subject. General Order GO 03-02-01 also notes that Department members' use of force is based on the totality of the circumstances known by the member at the time and from the perspective of a reasonable Department member on the scene, in the same or similar circumstances, without the benefit of 20/20 hindsight. GO 03-02-01 further notes that use of force situations can be tense, uncertain, and rapidly evolving. General Order 03-02 provides that Members must use de-escalation techniques such as the use of time and/or distance to prevent or reduce the need for force when it is safe and feasible to do so based on the totality of the circumstances.

GO 03-02-01 further characterizes a person "who is using or threatening the use of force against another person or himself/herself which is likely to cause physical injury" as an assailant. Assailants are subdivided into two categories. The first category is when the person's "actions are aggressively offensive with or without weapons. This category of assailant may include a subject who is armed with a deadly weapon but whose actions do not constitute an imminent threat of death or great bodily harm." Force options authorized on this type of assailant consist of direct mechanical technique such as punching or kicking. GO 03-02-01defines direct mechanical techniques as being "forceful, concentrated striking movements, such as punching and kicking, or focused pressure strikes and pressures. These techniques can be combined with take-downs or pins against the ground or other objects."

By all accounts,	actions placed	him in the car	tegory of an a	ssailant. This	is
verifiable by the video evidence	which not only	y shows him str	ruggling with o	officers includ	ing
after he was placed in the cell.	Specifically,	was still flai	iling his legs ar	nd kicking at	the
officers while on the ground.	A direct mecha	nical strike is	generally perm	nitted against	an
assailant.					

¹⁴ Attachment 23



VIII. CONCLUSION

Based on the analysis set forth above, COPA makes the following findings:

1. It is alleged that on July 11, 2018, at 2542	W. Belmont Ave.,	Sustained/Written
Chicago, IL 60618, Sgt. unnecessa	rily kicked	Reprimand
about the head.		
Approved:		
Angela Hearts-Glass	Date	
Deputy Chief Administrator		

Appendix A

Assigned Investigative Staff

Squad #:	
Investigator:	
Supervising Investigator:	
Deputy Chief Administrator:	Angela Hearts-Glass